

Application No.: 10/507,023
Filing date: March 14, 2005
Inventor: van der Heijden et al.
Docket No.: 903-117 PCT/US/RCE
Page 11

Remarks/Arguments:

Introduction

Claims 17-26, 28-33, 35-44 and 46-50 are pending in the application. Claim 51 has been canceled. Claims 17-26, 28, 30-32, 35-44 and 46-50 have been amended. No new matter has been introduced. Applicant acknowledges that claims 26 and 44 would be allowable if rewritten in independent form. Reconsideration is respectfully requested.

Section 112 Rejections

Claims 32 and 49 have been rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. Specifically, the term “for example” renders the claim indefinite. Applicant has amended claims 32 and 49. In view of the amendment, the rejection is believed to be overcome.

Section 102 Rejections

Claims 17-23, 28-32, 35-41 and 46-49 are rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 4,496,081 to Farrey (hereinafter “Farrey”).

Farrey discloses in Figure 1 and 2 a set of two pressurized containers 11 each having a projecting dispensing valve 12. Each container valve 12 is connected to the supply end of a length of flexible tubing 14. The delivery end of each tubing 14 is connected to a dispensing

nozzle 15. The apparatus 10 includes two parallel brackets, 16/T and 16/B, for holding the top end and bottom end, 11/T and 11/B, of the containers 11 in a side-by-side fixed position. A suitable manual means 35 is provided for controlling the flow of foam reactants through the tubing 14 to the dispensing nozzle 15, when the container valves 12 have been opened by rotation of a key 30.

However, Farrey does not disclose all features of the independent claims 17 and 35 of the present application.

According to these independent claims the containers each include a pump which is secured to the reservoir, which pump can be actuated by hand, and has a dispensing opening and a pump actuating button. The dispensing apparatus of Farrey does not disclose a pump as it includes pre-pressurized containers which dispense a liquid after opening of the dispensing valve. Farrey also does not disclose a pump actuating button for each reservoir. The indicated container valves 12 are valves not pumps.

Further, the dispensing unit of claims 17 and 35 recite first coupling members arranged on the first container and second coupling members arranged on the second container, the first and second coupling member being directly couplable to each other. Such coupling members are not present in the dispensing apparatus of Farrey. In contrast, the dispensing apparatus of Farrey include brackets 16/T and 16/B, for holding the top end and bottom end, 11/T and 11/B,

of the containers 11 in a side-by-side fixed position. According to the present invention each container includes its own coupling member, which is arranged, in the non-coupled state, on the respective container. During coupling these coupling members are directly coupled to each other. Bracket 16/T cannot be regarded as first and second coupling members which are directly coupled to each other. But even if bracket 16/T would be regarded as a coupling member arranged on one of the containers, it is not arranged on a securing collar (claim 17) or a pump actuating button (claim 35).

Moreover, according to claim 17, the pump is secured to the container by a securing collar, and the first and associated second coupling members are provided on the securing collars of the respective container. As Farrey does not disclose a pump for each container, there is also not provided a securing collar to secure the pump to the container. Also there is not provided that each securing collar comprises a coupling member which can be directly coupled to an associated coupling member of the other container. The examiner has indicated holding ring 18/T, a rim on the reservoir of the dispensing apparatus, as the securing collar. However, this holding ring is not provided to secure the pump (which is not present) to the reservoir.

According to claim 35, the first and associated second coupling members are provided on the pump actuating buttons of the respective container. As Farrey does not disclose a pump for each container, there is also not provided a pump actuating button to actuate the pump. Also, there is not shown in Farrey that each pump actuating button comprises a coupling

member which can be directly coupled to an associated coupling member of the other container.

Generally, it can be concluded that Farrey relates to a different invention than the present invention. Farrey relates to a dispensing apparatus comprising two different pre-pressurized containers, which can be actuated simultaneously by a manual means connected to both containers. Brackets are provided to fix the containers next to each other, so that the dispensing valves can be opened by moving T-bar 20 towards the containers using the manual screw 30.

In contrast, the present invention relates to the provision of two containers each including a manual pump. The containers can be coupled by coupling members arranged on the respective container. The coupling members are in particular provided on the securing collars or on the pump actuating buttons. In the latter case a separate reservoir holder is provided to at least partially enclose the reservoirs of the containers. such dispensing unit is not disclosed in Farrey.

Therefore, claim 17 and 35 and the dependent claims are not anticipated by Farrey. Farrey fails to disclose each and every element of the claims as required under Section 102. Withdrawal of rejection under Section 102 is respectfully requested.

Application No.: 10/507,023
Filing date: March 14, 2005
Inventor: van der Heijden et al.
Docket No.: 903-117 PCT/US/RCE
Page 15

Claims 17-24, 28-30, 35-42 and 47 are rejected under 35 U.S.C. §102 as allegedly being anticipated by Feldmann (EP443519).

Feldmann discloses two containers each having a reservoir 24, 44 and a pump connected to the respective reservoir. First coupling members 18, 28 and 52 are arranged on the pump actuating button 12 and the reservoir 24. Associated second coupling members 38, 40 and 64 are arranged on the pump actuating button 32 and the reservoir 44. The containers can be coupled by coupling of the first and second coupling members.

However, according to claim 17, the pump is secured to the reservoir by a securing collar, and the first and associated second coupling members are provided on the securing collars of the respective container. In the dispensing device of Feldmann, the first and second coupling members are not provided on the securing collars. The examiner has indicated the parts 22, 42 with decreased dimensions as securing collar, but the securing collar is formed by the ring shaped collar having griplines, in figure 3 above the part 22. The parts 22, 42 are an integral part of the reservoirs 24, 44.

An example of a securing collar is more clearly shown in Figure 4, part 108. The securing collar secures the pump 114 on the reservoir 100 as required by claim 17.

Further, in contrast to the conclusion of the examiner, there is not arranged any coupling member on the parts 22, 42 of the embodiment of Figures 1-3. Also, no coupling members are arranged on the securing collars of the containers.

According to claim 35, a separate reservoir holder is provided which is designed to at least partially enclose the reservoir of the first container and the reservoir of the second container. The examiner has indicated the coupling members 50-52 and 60-64 of the dispensing device of Feldmann as reservoir holder. However, these coupling members do not provide a separate reservoir holder as required by claim 35. Furthermore, the coupling members of Feldmann do not at least partially enclose both reservoirs as required for the reservoir holder of claim 35.

Feldmann fails to disclose each and every element of the claims. Withdrawal of the rejection is respectfully requested. Therefore, claim 17 and 35 and the dependent claims therefrom are not anticipated by Feldmann.

Claims 25 and 43 are rejected under 35 U.S.C. §103 as allegedly being unpatentable over Farrey or Feldman. The above-arguments equally apply herein as claims 25 and 43 depend from independent claims 17 and 35, respectfully. Farrey for Feldman fail to teach or suggest the presently claimed invention. Withdrawal of the rejection is respectfully requested.

Application No.: 10/507,023
Filing date: March 14, 2005
Inventor: van der Heijden et al.
Docket No.: 903-117 PCT/US/RCE
Page 17

Claims 33 and 50 are rejected under 35 U.S.C. §103 as allegedly being unpatentable over Feldman in view of U.S. Patent No. 4,384,660 to Palmisano. The above-argument equally applies herein as claims 33 and 50 depend from claims 17 and 35, respectfully. Feldmann fails to teach or suggest a pump secured to the reservoir by a securing collar, a first and associated second collar, a first and associated second coupling members are provided on the securing collars of the respective container, or a separate reservoir holder.

The Examiner cites Palmisano as allegedly teaching a U-shaped clamp. However, Palmisano fails to overcome the deficiencies of Feldmann as recited above. Thus, withdrawal of the rejection is respectfully requested.

Application No.: 10/507,023
Filing date: March 14, 2005
Inventor: van der Heijden et al.
Docket No.: 903-117 PCT/US/RCE
Page 18

Summary

In view of the above-remarks and claim amendments, this application is believed to be in condition for allowance. Favorable action thereon is therefore respectfully solicited.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 08-2461. Such authorization includes authorization to charge fees for extensions of time, if any, under 37 C.F.R. § 1.17 and also should be treated as a constructive petition for an extension of time in this reply or any future reply pursuant to 37 C.F.R. § 1.136.

Should the Examiner have any questions or comments concerning the above, the Examiner is respectfully invited to contact the undersigned attorney at the telephone number given below.

Respectfully submitted,



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